

PROB 12B  
ED-AR (12/2012)

**United States District Court**  
**for the**  
**Eastern District of Arkansas**

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS  
DEC 31 2015  
JAMES V. MCCORMACK, CLERK  
By: [Signature]  
DEP CLERK

**Request for Modifying the Conditions or Term of Supervision**  
**with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Robert Kennedy

Case Number: 4:14CR00130 JLH

Name of Sentencing Judicial Officer: Honorable John Phipps McCalla  
Chief United States District Judge  
Western District of Tennessee

Transferred: June 26, 2014: Honorable J. Leon Holmes  
United States District Judge  
Eastern District of Arkansas

Original Offense: Possessing Contraband in Prison

Date of Sentence: May 18, 2010

Original Sentence: 10 months BOP consecutively to 1:07CR00085 of the Eastern District of Missouri, 3 years supervised release, drug testing, maintain full time employment, substance abuse treatment, DNA, obtain GED, and \$100 special penalty assessment

Amended: July 20, 2011: Amended to correct the indictment number only

Revocation: May 6, 2015: Time served, 2 years supervised release concurrent to 4:14CR00156, 5 months home detention with electronic monitoring with costs paid by the defendant, all general and standard conditions previously imposed remain in full force and effect, and substance abuse treatment with alcohol abstinence during treatment

Type of Supervised  
Supervision: Release Date Supervision Commenced: May 6, 2015  
Date Supervision Expires: May 5, 2017

U.S. Probation Officer: William P. Fennell	Asst. U.S. Attorney: Michael S. Gordon	Defense Attorney: Latrece Gray
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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for \_\_\_\_ year(s), for a total term of \_\_\_\_ years.  
☒ To modify the conditions of supervision as follows:

For the duration of his supervised release, the defendant will perform 20 hours of community service a week under the guidance and supervision of the probation office during any period of unemployment that exceeds one week.

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Request for Modifying the  
Conditions or Terms of Supervision  
with Consent of the Offender

Name of Offender: Robert Kennedy

Case Number: 4:14CR00130 JLH

## CAUSE

The defendant has been unable to obtain or maintain regular employment since his release from custody on his original term of supervised release. Community service will provide the defendant employment skills and keep him involved with pro-social activities. After failing to obtain employment in November 2015, the defendant agreed to the above modification as part of a larger employment action plan. The defendant was afforded the chance to speak with counsel before waiving his right to a hearing.

The offender also submitted a urine specimen for testing December 8, 2015, that tested positive for hydrocodone and was diluted. Furthermore, the defendant has signed an admission form for using hydrocodone on December 8, 2015. The defendant did not have a prescription for this medication. The defendant has been returned to scheduled drug testing to monitor any future substance abuse.



William P. Fennell  
U.S. Probation Officer


Date: 12-23-15



Michael Gordon  
Assistant U.S. Attorney

Date: 12/30/15

Approved:

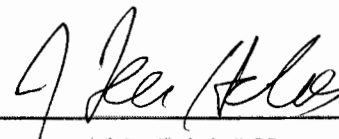


Kristin J. Hinton  
Supervising U.S. Probation Officer

This form is to be filed with Criminal Docketing as a motion.

## THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

November 31, 2015

Date

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**Request for Modifying the  
Conditions or Terms of Supervision  
with Consent of the Offender**

**Name of Offender: Robert Kennedy**

**Case Number: 4:14CR00130 JLH**

**This form is to be filed with Criminal Docketing as an order and/or petition.**

**c: Assistant Federal Public Defender, Latrece Gray, 1401 West Capitol Avenue, Suite 490, Little Rock, AR  
72201  
Assistant U.S. Attorney, Michael Gordon, P.O. Box 1229, Little Rock, AR 72203**

PROB 49  
(JBS)

## United States District Court

### Eastern District of Arkansas

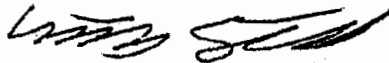
#### Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

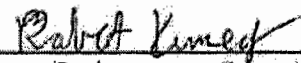
For the duration of his supervised release, the defendant will perform 20 hours of community service a week under the guidance and supervision of the probation office during any period of unemployment that exceeds one week.

Witness



(U.S. Probation Officer)

Signed



(Probationer or Supervised Releasee)

12-14-15

(Date)



12-21-15